

Private Sector Preparedness Act of 2004
Executive Summary, July 14, 2004

In November of 2003, 9-11 Commission Chair Thomas Kean stated, “One of the lessons learned from 9-11 is that private sector preparedness remains critical to our national security.” Through research, interviews, and their extensive public hearing process, the Commission has demonstrated that tenants of the World Trade Center varied widely in their levels of preparation for a catastrophic event. Many lacked evacuation plans that had been practiced, alternative communication systems, the ability to identify who was working that day, or fully executable business continuity plans. In its forthcoming report, the 9-11 Commission will expand upon its initial findings, and recommend measures that the private sector should take to ensure their preparedness for all disasters and emergencies, including acts of terrorism.

On May 19, 2004, Secretary Ridge announced to the 9-11 Commission that the Department of Homeland Security (DHS) was, “building a foundation on which the private sector can take important steps to improve their readiness,” through the use of voluntary emergency preparedness standards that would empower the private sector to examine their own readiness, and to take part in the shared responsibility of homeland security. Yet, while there may be a keen interest in promoting emergency preparedness within private sector organizations, there still remains uncertainty and confusion as to the definition of appropriate and adequate preparedness, and what actions these organizations should take to be prepared.

The ***Private Sector Preparedness Act*** will enhance current DHS initiatives, and expedite the implementation of the 9-11 Commission’s recommendations by:

- Requiring DHS to develop and implement a comprehensive program to enhance private sector preparedness for emergencies and disasters, no later than 90 days following enactment of the legislation;
- Identifying specific elements of this preparedness program, consistent with recent guidance issued by national voluntary standards organizations such as the American National Standards Institute (ANSI) and the National Fire Protection Association (NFPA);
- Requiring DHS to develop, promulgate, and regularly update national voluntary consensus standards for private sector emergency preparedness; and
- Requiring DHS to coordinate this preparedness program with, and utilize the voluntary standards developed by, ANSI, NFPA, and any other existing guidance or best practices developed by private sector industry associations.

As noted by Commission Vice Chair Lee H. Hamilton, “With nearly 85 percent of the critical infrastructure of our country owned and operated by the private sector, it is clear that any measures the public sector takes on its own will not be enough to guarantee the safety of all Americans.” The Private Sector Preparedness Act will enhance the nation’s security by providing the private sector with the tools they need to protect their employees, their facilities, and the continuity of economic activity.